**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

Notice of Motion No. 2161 of 2005
In
Appeal No. 641 of 2005
In
Notice of Motion No. 1766 of 2002
In
Suit No. 3903 of 1991

Vinit Jhaveri & Anr. .. Appellants
V/s.
M/s. Sindhwa Developers & Anr. .. Respondents

Mr. Hiralal Thakker, Sr. Counsel with Mr. Snehal Shah with Mr. R.L. Tolat i/b. M/s. L.C. Tolat & Co. for the Appellant
Mr. F. Devitre, Sr. Counsel i/b. Mr. T.N. Tripathi for the Respondent No. 2

**CORAM : DR. S. RADHAKRISHNAN &**
**S.C. DHARMADHIKARI, JJ.**
**DATED : 05.09.2005.**

**P.C.:-**

1. Heard the learned counsel for the Appellant and the Respondents. In the above, the Appeal has already been admitted. Under these circumstances, Notice of Motion is made absolute in terms of prayer clause (a) and (b), however, we direct the Court Receiver not to hand over the possession of the Suit premises to the Respondent No. 2, pending the hearing and final disposal of the Appeal.

**(DR. S. RADHAKRISHNAN, J.)**

**(S.C. DHARMADHIKARI, J.)**